

ORDINANCE NO.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 24, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, BY AMENDING SECTION 24-2, DEFINITIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 24, Zoning, is hereby amended and reordained by amending Article I, In General, Section 24-2, Definitions.

Article I. In General

Sec. 24-2. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

Acreage parcel. A parcel of land, regardless of area, described by metes and bounds which is not a numbered lot on any recorded subdivision plat.

Building, height of. The vertical distance measured from the level of the curb or the established curb grade opposite the middle of the front of the structure to the highest point of the roof if a flat roof, to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof. For buildings set back from the street line, the height shall be measured from the average elevation of the ground surface along the front of the building.

Street functional classification. ~~A classification of streets, approved by the governing body, into the following categories: Interstate, expressway, principal arterial, minor arterial, major collector and minor collector.~~ Streets shall be functionally classified as follows:

- (1) Interstate: A highway that is part of the nationwide U.S. Interstate Highway System connecting or involving different states.
- (2) Expressway *or Freeway*: A roadway designated exclusively for unrestrictive movement of traffic. Access is only with selected arterial streets by means of interchanges.
- (3) Arterial streets (principal, minor). ~~A street specifically designed to move high volumes of traffic from collector streets through the county and not designed to serve abutting lots except indirectly through intersecting streets. Arterial streets shall include all U.S. Highways, state primaries with one, two or three digit numbers, state secondary roads with three digit numbers, and any other street which the subdivision agent determines is functionally equivalent to these transportation department classifications. This definition shall not include three digit numbered streets which are part of a recorded subdivision or an extension thereof.~~ Streets and roads which function within a regional network conveying traffic between major activity centers. The purpose of such streets is to carry relatively large volumes of traffic at higher speeds, and not to serve abutting lots except indirectly through intersection streets. The arterial classification is further subdivided into “principal arterial” and “minor arterial” based on traffic volumes.
- (4) Collector streets (major, minor): ~~A street with relatively low speed and low volume providing circulation within and between neighborhoods. Collector streets usually serve short trips and are~~

~~intended for collecting trips from local streets and distributing them to the arterial network. Streets designed to conduct and distribute traffic between streets of lower order and streets of higher order linking major activity centers.~~ The collector classification is further divided into “major collector” and “minor collector.”

(5) *Local or access streets.* Streets designed to carry low to moderate volumes of traffic, at low operating speeds. The primary function of these streets is to provide access to individual lots, typically within a residential subdivision.

The functional classification status of a specific road shall be determined by the agent after consulting with the transportation department.

~~Iso-foot-candle~~ *footcandle* diagram. A diagram consisting of lines showing the relative illumination in foot candles from a light source or group of light sources.

Mobile home. A mobile home is a structure not meeting the specifications or requirements of a manufactured home, designed for transportation, after fabrication, on streets and highways on its own wheels or on flat bed or other ~~trailers-trailer~~, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operation, location on jacks or permanent foundations, connection to utilities and the like. (See "trailer" and "travel trailer" following in this section.)

Noninterference/intermodulation study. A study prepared by a licensed engineer indicating potential interference ~~of wireless communications facilities~~ with public safety communication equipment.

Start of construction. The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site (such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation) or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, or filling; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration on any wall, ceiling, floor, or other structural part of a building, whether or not the ~~alternation~~ *alteration* affects the external dimensions of the building.

Tourist home. A dwelling where lodging or lodging and meals are provided for compensation for up to five rooms ~~and~~ *which are* open to transients.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Robert C. Middaugh
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
JONES	_____	_____	_____
KENNEDY	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of December,
2012.

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